



United States Department of Agriculture

Research, Education, and Economics
Agricultural Research Service

JAN 29 2008

SUBJECT: FY 2008 Anti-Harassment Policy Statement

TO: All Employees

FROM: Edward B. Knipling *Edward B. Knipling*
Administrator

As the Administrator for the Agricultural Research Service (ARS), I want to express my strong commitment to prohibit sexual and other types of harassment in the workplace. I encourage managers, supervisors, and employees to remain cognizant of this policy and refrain from, and take steps to prevent, acts of harassment of any nature.

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual, has the purpose or effect of creating an intimidating, hostile, or offensive work environment, unreasonably interferes with work performance, or otherwise adversely affects employment opportunities. Harassing conduct includes, but is not limited to, epithets; slurs; negative stereotyping; threatening, intimidating, or hostile acts; written or verbal comments; or graphic material to denigrate or show hostility or aversion toward an individual or group.

ARS employees seeking relief from harassment based on sex (with or without sexual conduct), race, color, religion, national origin, age, disability, sexual orientation, marital or parental status must contact the Office of Outreach, Diversity, and Equal Opportunity, on 1-800-340-4289, or 202-720-3410, within 45 days of an alleged incident.

All claims of harassment must be resolved before they become severe or pervasive. All ARS employees, applicants, and service recipients may express harassment complaints without fear of retaliation. All acts of retaliation must be reported immediately through the appropriate forum. All allegations will be investigated, and any individual(s) determined to have perpetuated harassment will be subject to disciplinary action.



Office of the Administrator
1400 Independence Avenue, SW
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An Equal Opportunity Employer

Enforcement guidance from the Equal Employment Opportunity Commission (EEOC) on employer liability, states that “an employer is always liable for harassment by a supervisor on a prohibited basis that culminates in a tangible employment action.” Tangible employment actions include hiring and firing, promotion and failure to promote, demotion, undesirable reassignment, a decision causing significant change in benefits, compensation decisions, and work assignment. The guidance also provides that “in some circumstances, an employer may be subject to vicarious liability for harassment by a supervisor who does not have actual authority over the employee.”

This policy, and the EEOC Enforcement Guidance, Notice 915.002, *Vicarious Employer Liability for Unlawful Harassment by Supervisors*, is located on the ARS website: <http://www.ars.usda.gov/aboutus/docs.htm?docid=1310>. Prevention is the most effective tool to successfully eliminate harassment in the workplace.